

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

NEXTPOINT, INC.,)
v. Plaintiff,) Case No. 08-CV-4593
v.) Honorable Blanche Manning
NEXTPOINT NETWORKS, INC.,) Magistrate Judge Maria Valdez
Defendant.)

NOTICE OF MOTION

To: Nextpoint Networks, Inc.
c/o The Company Corporation
2711 Centerville Road, Suite 400
Wilmington, DE 19808

Andrew N. Spivak
Morrison & Foerster LLP
2000 Pennsylvania Avenue NW, Suite 5500
Washington, DC 20006-1831
Fax: (202) 887-0767
Email: aspivak@mofo.com

PLEASE TAKE NOTICE that on Thursday, August 21, 2008, at 11:00 a.m., or as soon thereafter as counsel may be heard, we shall appear before the Honorable Blanche Manning, or any judge sitting in her stead, in the United States District Court for the Northern District of Illinois, 219 South Dearborn Street, Room 2125, Chicago, Illinois, and then and there present the attached Motion For Preliminary Injunction, which is hereby served upon you.

NEXTPOINT, INC.

By: /s/ Richard L. Miller II
One of Its Attorneys

Eric N. Macey
Richard L. Miller II
John F. Shonkwiler
NOVACK AND MACEY LLP
100 North Riverside Plaza
Chicago, Illinois 60606
(312) 419-6900

CERTIFICATE OF SERVICE

Richard L. Miller II, an attorney, hereby certifies that he served the foregoing Notice of Motion, by causing a true and correct copy thereof to be served upon the following in the listed manners:

VIA U.S. MAIL

Nextpoint Networks, Inc.
c/o The Company Corporation
2711 Centerville Road, Suite 400
Wilmington, DE 19808

VIA U.S. MAIL AND ELECTRONIC MAIL

Andrew N. Spivak
Morrison & Foerster LLP
2000 Pennsylvania Avenue NW, Suite 5500
Washington, DC 20006-1831
Fax: (202) 887-0767
Email: aspivak@mofo.com

on this 14th day of August 2008.

/s/ Richard L. Miller II

Richard L. Miller II